

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JERICHO GROUP, LTD.

Plaintiff,

No. 07-CV-1792 (RCC) (DCF)

-against-

MIDTOWN DEVELOPMENT, L.P., EDWARD  
IMPERATORE and MAURICE STONE.

Defendants.

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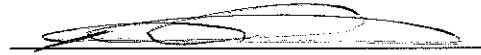
**NOTICE OF MOTION**

PLEASE TAKE NOTICE, that upon annexed Declaration of Chana Pfeifer, sworn to the 4<sup>th</sup> day of April, 2008, the exhibits annexed thereto, the accompanying Memorandum of Law and prior proceedings had herein, the undersigned attorneys for plaintiff will move this Court, before the Judge Colleen McMahon at the Courthouse located at 500 Pearl Street, New York, New York 10007, for an Order, pursuant to 28 U.S.C §1447(c), 28 U.S.C. § 1927 and New York State Judiciary Law §487 against defendants Midtown Development, L.P., Edward Imperatore, Maurice Stone and their attorneys Phillips Nizer, LLP and Jones day for improperly removing a State Court on the grounds of discovery when they know now discovery existed, together with such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that answering papers, if any, must be served upon the undersigned on or before April 28, 2008, pursuant to the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York.

Dated: New York, New York  
April 4, 2008

GOLDBERG, & RIMBERG,  
COUNSELORS AT LAW PLLC

A handwritten signature in blue ink, appearing to read "Robert L. Rimberg", is written over a horizontal line.

Robert L. Rimberg, ESQ.  
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